

UNIT 55 POST-AWARD ORIENTATIONS

UNIT CERTIFICATION

Statement of Completion

_____ has satisfactorily completed on-the-job training in the duty or duties of this Unit under the conditions described below and in accordance with the overall standard(s) for this Unit.

Duty	Conduct postaward orientations for contractors.
Conditions	Given relevant documents (e.g., the solicitation, the contract, the offer, the price negotiation memorandum, records on the contractor's previous experience with Government contracts) and contractor inquiries.
Overall Standard(s)	The contractor is correctly informed of all postaward rights, duties, and milestones of both parties that affect substantial performance. All potential issues that may affect substantial performance are identified and resolved. The resolution of each issue is fully documented in a postaward report.

Evaluator

Name

Title

Date

UNIT 55 POST-AWARD ORIENTATIONS

DOCUMENTATION OF OJT ASSIGNMENT(S)
Description of Assignment:
Evaluation:
Completion Date:

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Policies

<i>FAR</i>	<i>Agency Suppl.</i>	<i>Subject</i>
4.7		Contractor records retention.
4.403(c)		Informing contractors of security classifications and requirements,
22.102		Federal and state labor requirements — encouraging contractors to cooperate with Federal and State agencies responsible for enforcing labor requirements and to use the U.S. Employment Service and local Statement employment offices.
22.608-5		Furnishing the contractor with DOL WH-1313, Notice to Employees Working on Government contracts.
22.805(b)		Furnishing the contractor with the poster “Equal Opportunity is the Law.”
22.901		Information regarding Federal policies on nondiscrimination because of age.
22.1018		Notifying service employees of minimum wages and fringe benefits (e.g., through DOL WH-1313, Notice to Employees Working on Government contracts.)
22.1020		Seniority lists.
22.1304		Dept. of Labor notices and reports re: special disabled and Vietnam era veterans.
22.1404		Dept. of Labor notices re: employment of the handicapped.
42.5		Postaward orientations.
42.1401		Instructing contractors on carrier services and equipment.
52.202-1		Definitions.
52.214-29		Order Of Precedence.
52.215-33		Order Of Precedence.

Other KSA's

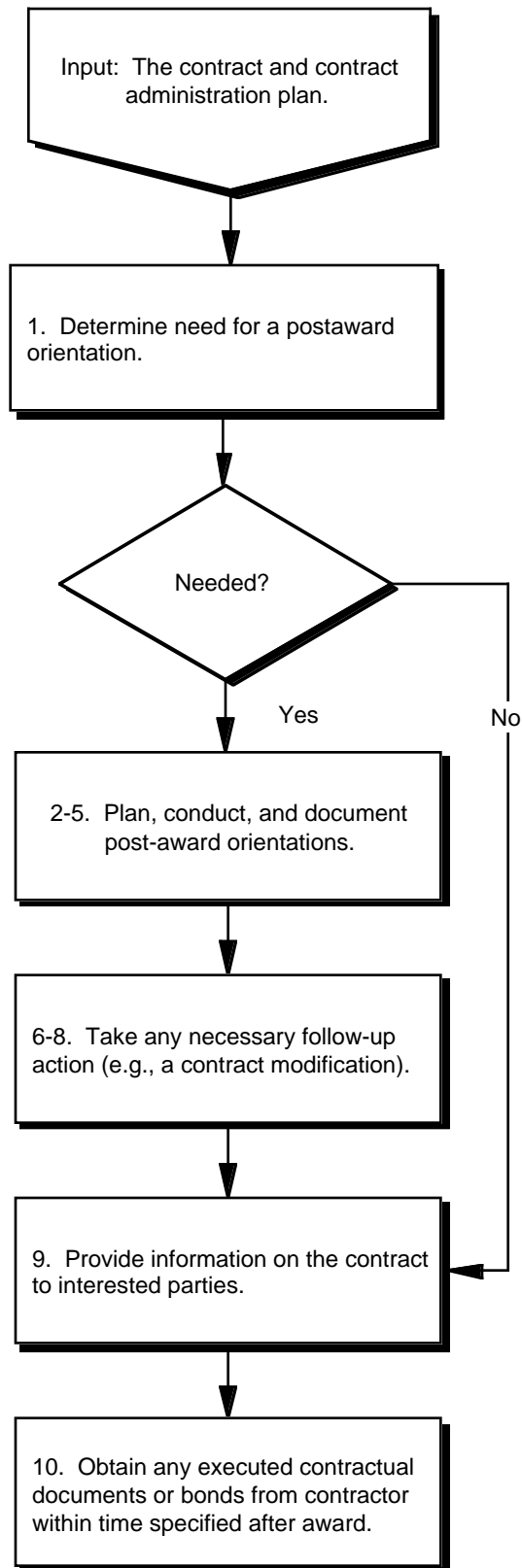
1. Knowledge of:

- Essential elements of a contract.
- Legal principles regarding work statements and specifications; principles for interpreting the language of a contract.
- Clauses and legal principles regarding the contractor's rights, conditions, and duties of performance under contract (e.g., inspection, delivery, acceptance, modifications, et al.).
- Differences between agreements on interpretation and contract modifications.
- Constructive change.
- Risk assumption and techniques for reducing level of risk of both parties.
- The contractor's duty to perform notwithstanding the fact of a postaward orientation.
- The Government's options (including pros, cons, and related policies) when agreements cannot be reached on issues that may affect substantial performance.
- The Freedom of Information Act.

2. Ability to present an overview of Government contract administration, in terms of contractor rights, duties, and milestones.

Other Policies and References (Annotate As Necessary):

POST-AWARD ORIENTATIONS



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Tasks

Related Standards

<p>1. Determine the need for postaward orientation.</p> <ul style="list-style-type: none"> Identify contract requirements on which there may not be a meeting of the minds between the contractor and the Government (based on contractor inquiries or an independent review of relevant documents). Identify milestones for contract administration. Determine the need to provide a general briefing on Government contract administration or topical briefings on such matters as: <ul style="list-style-type: none"> Security classifications and requirements (per FAR 4.403). Record retention requirements (FAR 4.7) Labor standards requirements of the contract under the Service Contract Act (if applicable). Federal and State agencies responsible for enforcing labor requirements (in terms of encouraging the contractor to cooperate with them per FAR 22.101). Federal and State employment services. Federal policies on non-discrimination because of age (per FAR 22.902). 	<p>1. Identify all issues that may affect substantial performance. Recognize and mitigate risks to both the contractor and to the Government from the contractor's inexperience. Consider such factors as:</p> <ul style="list-style-type: none"> Nature and extent of the preaward survey and any other prior discussions with the contractor. Type, value, and complexity of the contract. Complexity and acquisition history of the product or service. Requirements for spare parts and related equipment. Urgency of the delivery schedule and relationship of the product or service to critical programs. Length of the planned production cycle. Extent of subcontracting. Contractor's performance history and experience with the product or service. Contractor's status, if any, as a small business, small woman owned business, or small disadvantaged business concern. Contractor's performance history with subcontracting plans. Safety precautions required for hazardous materials or operations. Complexity of the financing arrangements.
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☛ When performing the **following** functions, the FAR requires contracting officers to separately consider the interests of women-owned small business concerns (kindred to the consideration provided to the interests of small disadvantaged business concerns and to small business concerns generally). [FAC 90-32, Case 94-780]

- Post-Award Orientations* — Factors to consider in determining whether an orientation is necessary under §42.501 and §42.502.

<p>2. Determine the type of orientation:</p> <ul style="list-style-type: none"> Telephone. Letter. Formal conference. 	<p>2. Select the most appropriate type.</p>
<p>3. Plan the orientation.</p> <ul style="list-style-type: none"> Prepare the Government's position on key issues. Prepare the agenda and determine time and place of the conference, if any. Designate the Government's participants in the orientation. Brief the Government's participants on their roles. Provide a copy of the agenda to the contractor. Obtain a contractor response to the agenda. Finalize the Government's position. 	<p>3. Clearly express the Government's expectations on each issue that may affect substantial performance.</p>

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Related Standards

<p>4. Conduct orientation</p> <ul style="list-style-type: none"> • Present the names, roles, authorities, limits, and responsibilities of the Government's representatives (from Unit 54). • Provide general instructions on contract administration and the contractor's rights and duties. • Provide the contractor with seniority lists, notices for posting, and/or any other data that the Government is required to furnish at or before the commencement of work. • Secure agreement on milestones and on the interpretation of any other key provisions in question: Performance, delivery, payment, etc. 	<p>4. Emphasize that it is not the purpose of the conference to change the contract. Give the contractor all information necessary to mitigate his/her risk and the Government's risk. Request all information necessary to confirm that the contractor's understanding of key provisions matches the Government's understanding. In the role of the contracting officer, make commitments or give directions within the scope of your authority and put in writing and sign any commitment or direction, whether or not it changes the contract. During the conference, do not allow participants without authority to bind the Government in any way that alters the contract.</p>
<p>5. Prepare a report of the postaward conference.</p> <p>Include:</p> <ul style="list-style-type: none"> • The names and affiliations of all participants. • All items discussed. • Areas requiring resolution. • Names of participants assigned responsibility for further actions. • Due dates for the actions. 	<p>5. Furnish copies to the contracting office, the contract administration office, the contractor, and others requiring the information.</p>
<p>6. Select a course of action when an agreement on a key issue cannot be reached.</p>	
<p>7. Identify need for unilateral or bilateral contract modifications (see Unit 75), if any.</p>	<p>7. Changes to the contract resulting from the conference should be made only by a formal contract modification.</p>
<p>8. Document the contract file.</p>	
<p>9. Provide information on the contract and performance to interested parties.</p>	<p>9. Do not release information covered by exemptions from the Freedom of Information Act (e.g., proprietary data).</p>
<p>10. Obtain any executed contractual documents or bonds from the contractor within the time specified after award.</p>	